

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

VAGISH LLC d/b/a CAMBRIDGE	)	
PLAZA HOTEL; and VA VA VAGISH	)	
LLC d/b/a LEGENDS LOUNGE,	)	
Plaintiffs,	)	
v.	)	Civil Action No: 3:13-cv-03161-TLW
SENECA SPECIALITY INSURANCE	)	
COMPANY,	)	
Defendant.	)	DEFENDANT SENECA SPECIALITY
	)	INSURANCE COMPANY'S SECOND
	)	SUPPLEMENTAL RULE 26(A) EXPERT
	)	WITNESS DISCLOSURE

Pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure, Defendant Seneca Specialty Insurance Company ("Seneca") hereby submits its Supplemental Expert Witness Disclosures as follows:

I.

Defendant incorporates the disclosure of experts identified in Seneca's Supplemental Disclosure of experts as though fully set forth herein, supplementing only the disclosure of Lawrence Daniel as follows:

1. Lawrence E. Daniel, EnCE, DFCP, BCE, ACE, CTNS, AME  
Guardian Digital Forensics  
5510 Six Forks Road, Suite 150  
Raleigh, North Carolina 27609

A copy of Mr. Daniel's report has been provided to counsel for Plaintiffs. Seneca further certifies that additional information required by Rule 26(a)(2)(B)(i)-(vi) regarding Mr. Daniel has been provided to counsel for Plaintiff:

II.

Defendant Seneca reserves the right to designate or call, by deposition or at trial, any expert witness designated by Plaintiff.

In view of the fact that discovery is ongoing, the need to designate additional experts may arise, and Defendant Seneca herein reserves the right to designate any additional expert witnesses, should it become necessary to do so, by leave of Court.

Defendant also reserves the right to elicit testimony opinion or lay opinion testimony from any witness at the time of trial which would be truthful, which would be a benefit to the jury to determine material issues of fact, and which would not violate any existing Court Order or the Federal Rules of Civil Procedure.

Defendant further reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness at trial, and to re-designate same as a consulting expert, who cannot be called by opposing counsel.

Defendant further reserves the right to designate a rebuttal expert to any expert designated by Plaintiff after this date, by leave of Court.

This 2nd day of October, 2015.

Respectfully submitted,

DREW ECKL & FARNHAM, LLP

/s/Russell Thomson

Russell Thomson

Fed Id No. 11870

Paul W. Burke

Admitted *Pro Hac Vice* (GA Bar No 095642)

Eric R. Mull

Admitted *Pro Hac Vice* (GA Bar No 556860)

880 W. Peachtree Street  
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UNITED STATES DISTRICT COURT  
District of South Carolina  
Columbia Division

Vagish, LLC, doing business as Cambridge  
Plaza Hotel, and Va Va Vagish, LLC, doing  
business as Legends Lounge,

Plaintiffs,

vs.

Seneca Specialty Insurance Company,

Defendant.

C/A No.: 3:13-3161-TLW

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served all counsel with the foregoing **DEFENDANT SENECA SPECIALITY INSURANCE COMPANY'S SECOND RULE 26(A) SUPPLEMENTAL EXPERT WITNESS DISCLOSURE** all counsel of record by using the CM/ECF system, which will automatically send e-mail notification, and by mailing copies to the following attorneys of record:

Richard A. Harpootlian  
Richard A Harpootlian, P.A.  
1410 Laurel Street  
Post Office Box 1090  
Columbia, South Carolina 29202

This 2nd day of October, 2015.

/s/Russell Thomson  
Russell Thomson  
Fed Id No. 11870

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